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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,721	06/28/2002	Kiyoshi Imai	M1401.0003/P003	2684

7590

12/02/2005

Dickstein Shapiro Morin & Oshinsky
2101 L Street NW
Washington, DC 20037-1526

EXAMINER

JOHNS, ANDREW W

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/089,721

Applicant(s)

IMAI ET AL.

Examiner

Andrew W. Johns

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/4/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tachikawa et al. (US 5,652,803 A).

Tachikawa et al. teaches an image recognition apparatus for preventing counterfeiting of bank notes and valuable securities (while this claim language is a statement of intended use and is therefore not limiting, Tachikawa et al. nevertheless is directed towards preventing the counterfeiting of bank notes and valuable securities, as described in the Abstract, for example), comprising a recognition processing portion (104 in Figure 1) which carries out a recognition process on supplied image data using dictionary data stored in a storage portion (column 10, lines 5-6) to determine whether or not said supplied image matches said dictionary data (column 8, lines 43-54); and means for writing said dictionary data into said storage portion (column 17, lines 27-29; the dictionary data is written into SRAM in response to a recall command when the power is turned on); wherein said dictionary data stored in said storage portion is erased at least at the time when the power is not on (the dictionary data stored in the SRAM is automatically erased when no power is supplied to the SRAM; while Tachikawa et al. fails to specifically describe this feature of the SRAM, it is an inherent function of SRAM, as described in the appropriate entries in the third edition of the Microsoft Press Computer Dictionary), as stipulated

by claim 1. In addition, Tachikawa et al. further teaches that said storage portion is constructed from a volatile memory (i.e., the SRAM which is a volatile memory that only stores data while adequate power is supplied to it), and wherein the erasing of said dictionary data is carried out automatically in accordance with the cutting off of the power supply (as noted before, the SRAM only stores data while appropriate power is supplied to it, so that it inherently erases any stored data when the power is removed), as further required by claim 2. Similarly, Tachikawa et al. also teaches that said storage portion is constructed from a rewriteable memory (the SRAM is a random access memory, which is an inherently rewritable device), and further comprising means for erasing said dictionary data stored in said storage portion at a prescribed timing (i.e., the power switch serves as means for erasing the data in the SRAM when the device is turned off, which is a prescribed timing), as set forth in claim 3. Finally, Tachikawa et al. additionally teaches means for monitoring the connection status of storage portions (column 9, lines 3-5) as variously required by claim 4. Therefore, Tachikawa et al. meets each of the limitations of the claims and anticipates the claimed invention.

Conclusion

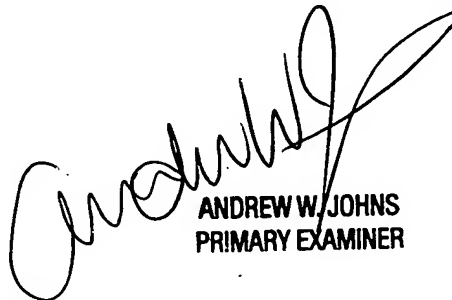
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Microsoft Press Computer Dictionary provides evidence of the inherent features of the SRAM of Tachikawa et al. The other references variously show recognition systems with erasable memories.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Johns whose telephone number is (571) 272-7391. The examiner is normally available Monday through Friday, at least during the hours of 9:00 am to 3:00 pm Eastern Time. The examiner may also be contacted by e-mail using the address: andrew.johns@uspto.gov. (Applicant is reminded of the Office policy regarding e-mail communications. See M.P.E.P. § 502.03)

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Joseph Mancuso, can be reached at (571) 272-7695. The fax phone number for this art unit is (571) 273-8300. In order to ensure prompt delivery to the examiner, all unofficial communications should be clearly labeled as "Draft" or "Unofficial."

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center Receptionist whose telephone number is (571) 272-2600.

A. Johns
29 November 2005



ANDREW W. JOHNS
PRIMARY EXAMINER